



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

SLT:LXN/SD/UAD  
F.#2011R000935\NY-NYE-635-H

*271 Cadman Plaza East  
Brooklyn, New York 11201*

May 27, 2012

**By Hand Delivery and ECF**

The Honorable John Gleeson  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. James Rosemond,  
Criminal Docket No. 11-424 (S-4)(JG)

Dear Judge Gleeson:

The government respectfully submits this letter to request that the attached supplemental jury instruction regarding "dangerousness to the community" be read to the jury should the defendant reference the issue during closing arguments or otherwise.

At trial, cooperating witness Henry Butler was cross-examined regarding a prior finding by the Court that Butler presented a danger to the safety of the community such that he should be denied bail. Following Butler's testimony, the government requested an instruction to the jury regarding how "danger" is defined for purposes of determining whether an individual should be freed on bail.

To that end, and pursuant to the Court's instructions, the government attaches herein a proposed instruction regarding dangerousness to the community and requests that the instruction

be read to the jury should the defendant further reference the issue at trial.

Respectfully submitted,

LORETTA E. LYNCH  
United States Attorney

By: /s/  
Una A. Dean  
Lan Nguyen  
Soumya Dayananda  
Assistant U.S. Attorneys  
(718) 254-6473

cc: Clerk of Court (JG)(via ECF w/o exhibits)  
Gerald Shargel, Esq. (via email)